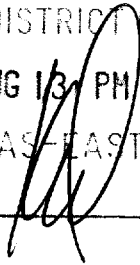


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

FILED-CLERK  
U.S. DISTRICT COURT  
03 AUG 13 PM 2:34  
TEXAS-EASTERN  
BY 

(1) TEXAS INSTRUMENTS  
INCORPORATED,

Plaintiff,

vs.

(1) INTERGRAPH CORPORATION and (2)  
Z/I IMAGING CORPORATION,

Defendants.

Civil Action No. 2-03CV-115 TJW

---

(1) INTERGRAPH CORPORATION,

Counterclaimant,

vs.

(1) TEXAS INSTRUMENTS  
INCORPORATED,

Counterdefendants.

**TEXAS INSTRUMENTS INCORPORATED'S REPLY TO INTERGRAPH  
CORPORATION'S COUNTERCLAIM FOR DECLARATORY RELIEF**

Plaintiff Texas Instruments Incorporated ("TI") replies to the counterclaim of Defendant  
Intergraph Corporation ("Intergraph") as follows:

**JURISDICTION AND VENUE**

1. Referring to paragraph 1 of Intergraph's Counterclaim, TI admits that  
Intergraph's Counterclaim arises under the patent laws and that jurisdiction is proper under 28  
U.S.C. §§ 1331, 1338, and 2201. TI, however, denies that jurisdiction is proper under 28 U.S.C.  
§ 2202 because Intergraph is not entitled to any relief.

2. Regarding paragraph 2 of Intergraph's Counterclaim, TI admits that venue is proper under 28 U.S.C. § 1391, but denies that 28 U.S.C. § 1400 provides a basis for venue.

**THE PARTIES**

3. TI admits the allegations in paragraph 3 of Intergraph's Counterclaim.

4. TI admits the allegations in paragraph 4 of Intergraph's Counterclaim.

5. TI admits the allegations in paragraph 5 of Intergraph's Counterclaim.

6. Regarding paragraph 6 of Intergraph's Counterclaim, TI admits that because of TI's Original Complaint and Intergraph's Answer and affirmative defenses there is a justiciable controversy concerning the infringement, validity, and enforceability of the TI patents in suit. TI denies that this controversy requires declaratory relief.

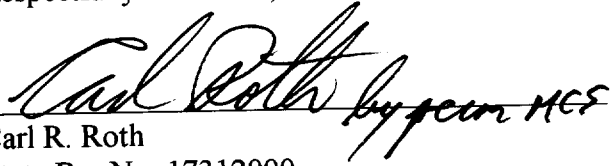
7. TI denies the allegations in paragraph 7 of Intergraph's Counterclaim.

8. TI denies the allegations in paragraph 8 of Intergraph's Counterclaim.

**PRAYER FOR RELIEF**

TI denies that Intergraph is entitled to any relief, including the relief requested in Intergraph's prayer for relief.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Carl Roth by firm HCS".

Carl R. Roth  
State Bar No. 17312000  
LAW OFFICES OF CARL R. ROTH  
111 West Austin  
P.O. Box 876  
Marshall, Texas 75761-1249  
Telephone: 903-935-1665  
Facsimile: 903-935-1797  
Email: cr@rothfirm.com

Kenneth R. Adamo  
State Bar No. 10496700  
Thomas R. Jackson  
State Bar No. 10496700  
Michael Newton  
State Bar No. 24003844  
JONES DAY  
2727 N. Harwood Street  
Dallas, Texas 75201  
Telephone: 214-220-3939  
Facsimile: 214-969-5100  
Email: kradamo@jonesday.com  
trjackson@jonesday.com  
mnewton@jonesday.com

ATTORNEYS FOR TEXAS INSTRUMENTS  
INCORPORATED

Of Counsel:

Jay C. Johnson  
Richard R. Andrews  
TEXAS INSTRUMENTS INCORPORATED  
P.O. Box 655474  
Mail Station 3999  
Dallas, Texas 75265  
Telephone: 972-917-5557  
Facsimile: 972-917-4418

### **CERTIFICATE OF SERVICE**

I certify that a copy of TEXAS INSTRUMENTS INCORPORATED'S REPLY TO INTERGRAPH CORPORATION'S COUNTERCLAIM FOR DECLARATORY RELIEF was served on August ~~13~~<sup>14</sup> 2003, via facsimile and U.S. Mail on the following:

Otis W. Carroll  
IRELAND CARROLL AND KELLEY, P.C.  
6101 South Broadway, Suite 500  
P.O. Box 7879  
Tyler, Texas 75711  
Facsimile: (903) 561-1071

Franklin Jones Jr.  
JONES AND JONES, INC., P.C.  
201 West Houston Street  
P.O. Drawer 1249  
Marshall, Texas 75671  
Facsimile: (903) 938-3360

S. Calvin Capshaw  
BROWN MCCARROLL, LLP  
1127 Judson Road, Suite 220  
P.O. Box 3999  
Longview, Texas 75601  
Facsimile: (903) 236-8787

George M. Schwab  
Byron W. Cooper  
Robert A. McFarlane  
Susan C. Moon  
TOWNSEND AND TOWNSEND AND CREW, LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, California 94111  
Facsimile: (415) 576-0300

David Vance Lucas  
INTERGRAPH CORPORATION  
Mail Stop IW2008  
Huntsville, Alabama 35894  
Facsimile: (256) 730-2247

